

ORIGINAL

2' Ct
Proper

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(21)
10/3
N

JAMES EDWARD HELLER
PLAINTIFF

) CASE NO: 1:CV-01-828

VS.

) MOTION FOR LEAVE TO AMEND

JAMES DOHERTY, ROBERT START,
MARTIN WILLIAMS, PETER KESSLER,
MICHAEL SOFIA, GARY MCFARLAND,
PRIME CARE MEDICAL, PAUL JENNINGS,
MICHAEL TAEBERRY, AND DAVID KEENHOLD.

) JUDGE KANE

DEFENDANTS

FILED
SCRANTON

OCT 01 2001

MOTION FOR LEAVE TO AMEND COMPLAINT
PURSUANT TO FED. R. CIV. P. 15

PER 
DEPUTY CLERK

Pro Se Plaintiff, James Edward Heller, respectfully requests this
Honorable Court to grant him leave to amend his complaint for the following
reasons:

1. Plaintiff failed to name all Defendants in his original complaint.
2. Matters related to the complaint that are set forth in the proposed amendment were not mentioned in the original complaint because those issues were unknown at the time the Plaintiff interposed the original complaint.
3. The original pleading is defective in its request for relief. The Plaintiff was not aware that he is entitled to request monetary relief.
4. Plaintiff had little understanding of Federal Civil Procedure and was unfamiliar with the requirements of filing such a complaint.
5. FED. R. CIV. P. 15(a) provides that leave to amend shall be freely given when justice so requires. It is in the interest of justice that leave to amend be granted.

WHEREFORE, the Plaintiff, James Edward Heller, respectfully requests that his MOTION FOR LEAVE TO AMEND be granted.

BY: 

JAMES EDWARD HELLER

PRO SE PLAINTIFF

2500 LISBURN ROAD

P.O. BOX 8837

CAMP HILL PA 17001- 8837

DATED: 9/28/01

CERTIFICATE OF SERVICE

I hereby certify that on this date, I served the foregoing MOTION FOR LEAVE TO AMEND on the parties by mailing a true and correct copy to the parties of record at the following address by U.S. FIRST CLASS MAIL, postage prepaid:

Gerard Geiger, Esq
712 Monroe Street
P.O. Box 511
Stroudsburg PA 18360-0511

FILED
SCRANTON

OCT 01 2001

PER 
DEPUTY CLERK

John R. Ninosky, Esq,
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268

BY: 

JAMES EDWARD HELLER

PRO SE PLAINTIFF
2500 LISBURN ROAD
P.O. BOX 8837
CAMP HILL PA 17001-8837

DATED: 9/28/01